



UNITED STATES PATENT AND TRADEMARK OFFICE

RE
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/465,761	12/17/1999	KENICHI YAMAMOTO	1614.1020	9287

21171 7590 12/04/2003

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

GURSHMAN, GRIGORY

ART UNIT

PAPER NUMBER

2132

DATE MAILED: 12/04/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/465,761	YAMAMOTO ET AL.
	Examiner Grigory Gurshman	Art Unit 2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 December 1999.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-10 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The claims 1 and 9 are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1 -10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takagi (U.S. Patent No. 5.881.231) in view of IBM Technical Disclosure Bulletin (volume 38, January 1, 1995).

4. Referring to the instant claims, Takagi discloses information processing system using information caching based on user activity (see abstract and Fig. 1).

5. Takagi teaches that in response to a request from the user authentication unit 79, according to the user name authenticated at the step S801, the user related information for the authenticated user are initialized by the network service server 100. For example, when the utilization prediction knowledge relevant for the authenticated user is present only in the second information storage unit 95 and not in the network service server 100, the information positioning unit 104 is controlled to transfer this utilization

Art Unit: 2132

prediction knowledge to the network service server 100, and set it as the utilization prediction knowledge 107 to be used in the subsequent prediction. Note here that, although not shown in FIG. 21, there can be various possible processing that can be carried out in a case where the access from the terminal 70 to the network service server 100 is not possible. As an exemplary processing in such a case, it is possible for the user authentication unit 79 to urge the user to make the network connection, and carry out the processing of this step S802 at a time the connection is made (see Figs. 20-22). The limitation "notifying of the condition of a user terminal ... connecting to a server via network" is met by terminal utilization status/environment unit (21 in Fig.1) connected to information server (40 in Fig. 1) through communication unit (23) over network (31). The limitation "...providing the condition notifying part with the information in accordance with a request of the user terminal..." is met by terminal location info providing unit (51 in Fig. 51) coupled to terminal (10) and to the information server (40). The limitation "...the user is authenticated by the server in accordance with authentication information from the user terminal..." is met by teaching of Takagi that in response to a request from the user authentication unit 79, according to the user name authenticated at the step S801, the user related information for the authenticated user are initialized by the network service server 100. While Takagi shows user authentication unit (19 in Fig. 10), he does not explicitly teach managing session information so that a session between the server and the user terminal is established when the user is authenticated by the server.

Art Unit: 2132

IBM Technical Disclosure Bulletin (hereinafter IBM) teaches that the server uses the password to authenticate the user and establish the session (see disclosure text page 2). Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to manage session information using the condition of a user terminal information of Takagi so that a session between the server and the user terminal is established when the user is authenticated by the server as taught in IBM. One of ordinary skill in the art would have been motivated to manage session information using the condition of a user terminal information so that a session between the server and the user terminal is established when the user is authenticated by the server as taught in IBM for eliminating the need to repeatedly lookup the passwords in the registry (see IBM page 2, 3d paragraph).

Referring to claims 9 and 10, Takagi teaches confirming notification in the predetermined period by recording the knowledge concerning an activity scheduled by the user (see abstract).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Grigory Gurshman whose telephone number is (703) 306-2900. The examiner can normally be reached on 9 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2132

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2100 receptionist whose telephone number is (703) 305-3900.

Grigory Gurshman
Examiner
Art Unit 2132

GG

Gilberto Barron
GILBERTO BARRON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100